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**UNITED STATES DISTRICT COURT**  
**DISTRICT OF NEVADA**

GOLDEN BEAR INSURANCE  
COMPANY, a California corporation,

Plaintiff,

v.

EVANSTON INSURANCE COMPANY,  
an Illinois corporation, and STARSTONE  
SPECIALTY INSURANCE COMPANY,  
a New Jersey corporation,

Defendants.

ALL RELATED MATTERS

Case No. 2:20-cv-00027-RFB-EJY

**REVISED STIPULATION AND  
~~PROPOSED~~ ORDER REGARDING  
GOLDEN BEAR INSURANCE  
COMPANY'S REBUTTAL EXPERT  
DISCLOSURE AND DEPOSITION**

Plaintiff/Counter-Defendant, Golden Bear Insurance Company ("**Golden Bear**"),  
Defendant/Counter-Claimant Evanston Insurance Company ("**Evanston**") and Defendant  
Starstone Specialty Insurance Company ("**Starstone**"), by and through their respective counsel  
of record, hereby stipulate and agree as follows:

1. On March 10, 2021, Golden Bear filed a Motion to Strike Defendant  
StarStone's Initial Expert Report and Testimony Thereto. (ECF No. 59.) ("**Motion to Strike**").

1 StarStone opposed the Motion to Strike (ECF No. 67), and Golden Bear submitted a Reply in  
2 support of the Motion to Strike. (ECF No. 71.)

3         2.       On March 31, 2021, the Court granted Golden Bear's Motion for Order  
4 Extending Disclosure of Rebuttal Expert Report. *See Minutes of Proceedings.*

5         3.       On June 1, 2021, Golden Bear served its Rebuttal Expert Report.  
6  
7       On June 3, 2021, StarStone requested dates to take Golden Bear's Rebuttal Expert's  
8 deposition, in view of the July 1, 2021 deadline set by the Court for completion of the same.  
9 *See Minutes of Proceedings.*

10       4.       On June 4, 2021, Golden Bear responded to StarStone's request to depose its  
11 rebuttal expert by requesting that StarStone defer taking the deposition until the Court issues a  
12 ruling on Golden Bear's Motion to Strike. The reasons for Golden Bear's request are that the  
13 deposition of its rebuttal expert may be rendered moot if the Court grants Golden Bear's  
14 Motion to Strike, thereby obviating the need for rebuttal expert testimony. Incurring the costs  
15 of such a deposition prior to the Court's decision on Golden Bear's Motion to Strike would be  
16 wasteful for all parties.  
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18       5.       On June 11, 2021, the parties agreed to defer taking Golden Bear's rebuttal  
19 expert's deposition. The parties also agreed that StarStone may file a motion to strike Golden  
20 Bear's rebuttal expert's report and opinions, if necessary, after the Court rules on Golden  
21 Bear's Motion to Strike. (ECF No. 59.).  
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23       6.       On June 16, 2021, the parties filed a Stipulation and Proposed Order Regarding  
24 Golden Bear Insurance Company's Rebuttal Expert Disclosure and Deposition. (ECF No. 81).  
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26       7.       On June 17, 2021 the Court issued its Order on Golden Bear's Motion to Strike,  
27 granting it in part and denying it in part. (ECF No. 82).  
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1           8.       On June 17, 2021, the Court denied without prejudice the parties' Stipulation  
2 and Proposed Order Regarding Golden Bear Insurance Company's Rebuttal Expert Disclosure  
3 and Deposition and directed the parties to submit a revised stipulation. (ECF No. 83).  
4

5           9.       Golden Bear will be filing Objections to the Order on Golden Bear's Motion to  
6 Strike, granting in part and denying in part, before July 1, 2021, thereby requesting the District  
7 Court Judge perform a *de novo* review of the Order (Doc. 82.)  
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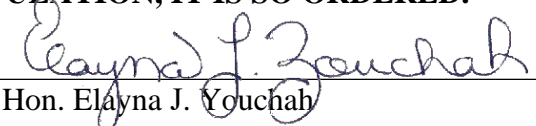
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1           10. Pursuant to the Court's Order (ECF No. 83), the parties hereby stipulate and  
2 agree that in light of the Court's Order on Golden Bear's Motion to Strike (ECF No. 82), and  
3 Golden Bear's intent to file Objections to the Order, StarStone shall have twenty-one (21) days  
4 from the date the District Court Judge issues a ruling on Golden Bear's Objections, in which  
5 to file a motion to strike Golden Bear's rebuttal expert's report and opinions,<sup>1</sup> and thirty (30)  
6 days from the date on which the Court issues a ruling on StarStone's motion to strike Golden  
7 Bear's expert report and opinions in which to take the deposition of Golden Bear's rebuttal  
8 expert, if warranted in light of the ruling on StarStone's motion to strike.  
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<b>AMES &amp; AMES, LLP</b>  Dated this 28th day of June, 2021.  <u>/s/ Chet A. Glover</u> Byron L. Ames, Esq. Chet A. Glover, Esq. Attorneys for StarStone	<b>CLARK HILL LLP</b>  Dated this 28th day of June, 2021.  <u>/s/ Gary A. Hamblet</u> Gary A. Hamblet, Esq. David M. Plouff, Esq. Attorneys for Evanston
<b>MCKAY LAW FIRM, CHTD</b>  Dated this 28th day of June, 2021.  <u>/s/ Pamela A. McKay</u> Pamela A. McKay, Esq. Attorneys for Golden Bear	

20           **PURSUANT TO THE PARTIES' STIPULATION, IT IS SO ORDERED.**

21  
22 Dated: June 28, 2021

  
Hon. Elayna J. Youchak  
United States Magistrate Judge

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28 <sup>1</sup> Or until the next judicial day if the 21st day falls on a weekend or holiday.